



1 Parties have experienced unavoidable delays in obtaining essential fact discovery  
2 and require additional time for these purposes.

3 Defendant has been trying to set the deposition of Plaintiff since April 3,  
4 2025. Due to conflicts of counsels' schedules and Plaintiff's health issues,  
5 Defendant was unable to confirm the dates for Plaintiff's and his wife's depositions  
6 until recently. Those depositions are scheduled to commence on July 24, 2025.

7 Since April 30, 2025, Defendant has been trying to set the depositions of the  
8 Phoenix police officers involved in the subject incident. To date, Defendant has only  
9 been able to complete one of the three officers' depositions as Defendant has been  
10 experiencing significant difficulty in coordinating the schedules of the witnesses and  
11 all counsel. The Parties have experienced similar scheduling difficulties with respect  
12 to the depositions of the Defendants' flight crew. While the Parties are working  
13 diligently to coordinate these key depositions, they need more time to complete  
14 them.

15 Moreover, on June 18, and June 23, 2025, Plaintiff provided third and fourth  
16 supplemental Rule 26 disclosures, which included a production over 900 pages of  
17 medical records from providers never before identified in discovery. In response, on  
18 and around June 30, 2025, Defendant issued subpoenas for the complete records  
19 from these providers (located in Oklahoma and Alaska) but has not yet received  
20 their document production. Defendant anticipates that some of these providers, as  
21 well as several other witnesses identified by Plaintiff, will also need to be deposed  
22 once the records are received.

23 Given the complications in coordinating the schedules of all parties and  
24 counsel, despite the Parties' diligent efforts, additional time is needed for the Parties  
25 to wrap up essential fact discovery including the foregoing depositions, and any  
26 follow up discovery warranted by the testimony of said witnesses and, if necessary,  
27 seek this Court's assistance in this regard.

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This is the Parties' fourth request for an extension. This request is not made for the purpose of delaying the case, and neither party will be prejudiced by modifying the scheduling order. The requested extension relates to the fact and expert discovery deadlines, and the deadline for dispositive motions.

The Parties agree that good cause exists, and respectfully request, to amend the current scheduling order and respectfully propose the following modifications:

	<b>CURRENT DATE</b>	<b>PROPOSED NEW DATE</b>
<b>Last Day to Conduct Lay Depositions</b>	August 1, 2025	October 1, 2025
<b>Fact Discovery Cutoff</b>	August 8, 2025	October 8, 2025
<b>Plaintiff's Expert Disclosures</b>	August 29, 2025	October 29, 2025
<b>Last Day to Engage in Good Faith Settlement Talks</b>	September 11, 2025	November 12, 2025
<b>Last Day to file Joint Report on Settlement Talks</b>	September 18, 2025	November 18, 2025
<b>Defendant's Expert Disclosures</b>	September 22, 2025	November 24, 2025
<b>Rebuttal Expert Disclosures</b>	October 10, 2025	December 10, 2025
<b>Expert Discovery Cutoff</b>	November 3, 2025	January 15, 2026
<b>Deadline to File Dispositive or <i>Daubert</i> Motions</b>	November 7, 2026	February 7, 2026

Respectfully submitted,

Dated: July 24, 2025

**MILLS + WOODS LAW, PLLC**

By: /s/ Sean A. Woods (with permission)  
 Robert T. Mills, Esq.  
 Sean A. Woods, Esq.  
*Attorneys for Plaintiff, Sean Bennett*

1 Dated: July 24, 2025

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER, LLP**

2  
3 By: /s/ Sarena Kustic  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed and served this 24<sup>th</sup> day of July 2025, using this Court's CM/ECF filing system which will electronically transmit a copy to all counsel of record.

Dated: July 24, 2025

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER, LLP**

By: /s/ Sarena Kustic  
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